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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/396,612	09/15/1999	J. CLARKE STEVENS	5016-(MEDO-5	7684

22045 7590 01/12/2004

BROOKS KUSHMAN P.C.
1000 TOWN CENTER
TWENTY-SECOND FLOOR
SOUTHFIELD, MI 48075

EXAMINER

O'CONNOR, GERALD J

ART UNIT	PAPER NUMBER
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3627

DATE MAILED: 01/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

DETAILED ACTION

Reply to Prior Office Action is Non-Responsive

1. The reply timely filed on October 21, 2003 (mailed October 17, 2003) is not fully responsive to the prior Office action because it fails to address all of the defects identified in the Notification of Non-Compliance with 37 CFR 1.192(c) mailed on September 17, 2003.
2. Since the period for reply set forth in the prior Office action has expired, this application will become abandoned unless applicant corrects the deficiency and obtains an extension of time under 37 CFR 1.136(a). In no case may an applicant reply outside the SIX (6) MONTH statutory period or obtain an extension for more than FIVE (5) MONTHS beyond the date for reply set forth in the previous Office action. A fully responsive reply must be timely filed to avoid abandonment of this application.

Notice of Defective Appeal Brief

3. The revised Appeal Brief, filed on October 21, 2003, remains defective for at least the following reason(s):
 - I. The brief includes a statement that claims 1-8 and 10 do not stand or fall together, but fails to present reasons in support thereof as required under 37 CFR 1.192(c)(5). See MPEP § 1206.

Conclusion

4. Any inquiry concerning this communication, or earlier communications, should be directed to the examiner, **Jerry O'Connor**, whose telephone number is **(703) 305-1525**, and whose facsimile number is (703) 746-3976.

The examiner can normally be reached weekdays from 9:30 to 6:00.

Inquiries of a general nature or simply relating to the status of the application should be directed to the receptionist, whose telephone number is (703) 308-1113.


If attempts to reach the examiner are unsuccessful, the examiner's supervisor, Mr. Robert Olszewski, can be reached at (703) 308-5183.

Official replies to this Office action may be submitted by any *one* of fax, mail, or hand delivery. **Faxed replies are preferred and should be directed to (703) 872-9306** (fax-back auto-reply receipt service provided). Mailed replies should be addressed to "Commissioner of Patents and Trademarks, Washington, DC 20231." Hand delivered replies should be left with the receptionist on the seventh floor of Crystal Park Five, 2451 Crystal Dr, Arlington, VA 22202.

GJOC



January 8, 2004



PRIMARY EXAMINER